IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITIN NO.5606 OF 2006

Mangal J. Satpute & Anr. ....Petitioners
V/s.
Sou.Sindu M. Lawate & Ors. ....Respondents

Mr.P.K. Hashing for the Petitioners.
Mr.A.R. Patel for Respondent Nos.1 and 2.

CORAM : S.J. VAZIFDAR, J.
DATED : 25TH JANUARY, 2007.

P.C. :

1. Rule. Rule returnable and heard forthwith.

2. It is true that there has been some delay on the part of the Petitioners/Defendant Nos.1 and 2 in filing the written statement. It is also true that there is some delay in their taking out the application for taking the written statement on record. However, considering the facts and circumstances of this case, the ends of justice would be met by granting the Petitioners one more opportunity of filing their written statement. Apart from what is stated in the Petition and in the Petitioners' application, it is to be noted that this is a suit for partition. Apart from the Petitioners,

there are other Defendants also who have an independent share in the property, assuming that the decree for partition is passed.

3. In the circumstances, the Rule is made absolutely in terms of prayer (b). The Petitioners shall be entitled to file their written statement on or before 1.3.2007.